

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

Clerk of Court
David D. Bird

824 Market Street
Wilmington, DE 19801
(302) 252-2900

Date: December 16, 2005

To: **Peter Dalleo, Clerk**
U.S. District Court
District of Delaware
U.S. Courthouse - 844 King Street
Wilmington, DE 19801

Re: Summit Metals, Inc.
Case #98-2870 (DDS)

Enclosed is the bankruptcy Record on **Appeal #AP-05-80**. Please acknowledge receipt on the copy provided.

Enclosed Items:

Notice of Appeal: #05-80

Appealable Orders: Yes

Statement of Issues on Appeal: Yes

Appellants Designations: Yes

Appellee Designations: Yes

Additional Items:

--Motion to Strike Appellant's

Designation of Certain Items.

--Motion to Dismiss Appeal as Moot.

--Memorandum In Support of Motion to Dismiss.

--Exhibit A to Memorandum In Support of Motion to Dismiss.

--Order Striking Appellant's Designation of Certain Items.

Sincerely,
Matthew J. Yovino
Deputy Clerk

 X Filing fee paid on 11/4/05
 Filing fee not paid

I hereby acknowledge receipt of the above record on appeal this _____ day of _____, 2005.

By: _____
Deputy Clerk, U.S. District Court

C.A. No.: 252-2900 x5113

TRANSMITTAL SHEET FOR APPEAL SUBMITTED TO U.S. DISTRICT COURT

Bankruptcy Case Number: **98-2870**

Deputy Clerk Transferring Case: Matthew J. Yovino (302) 252-2900 x5113

Appeal #: **(AP-05-80)**

Order, Date Entered and Issues

Order Approving Trustee's Motion to Sale Certain Non-Debtor Assets and Overruling Objections. [Docket No. 538 Entered 10/24/05]

Debtors: **Summit Metals, Inc.**

Counsel: **Jennifer Lee Scoliard**
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Appellant: **Ambrose M. Richardson, III**

Counsel: **James E. Huggett**
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Telephone: **(302) 428-0719**

Appellee: **Francis A. Monaco, Jr., Chapter 11 Trustee**

Counsel: **Joseph J. Bodnar**
Monzack and Monaco, P.A.
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